

A
PRELUDE

TO THE
Tryal of Skill

BETWEEN

Sacheverelism, and the Constituti-
on of the Monarchy of *Great Bri-
tain*. Occasion'd by the printing Dr.
Sacheverell's Answer to his Impeach-
ment.

WITH

REFLEXIONS

UPON

The Notions of Bishop *Sanderson*, and
the Deans, *Hicks*, *Sherlock*, and *Atterbury*;
with other Clergy-men, who have depar-
ted from the Doctrine of the Church of
England, profess'd in Queen *Elizabeth's* Days.

L O N D O N,

Printed in the Year 1710, and sold by the
Bookfellers. Price 6d.

Sach. 67/1(1)

PRELUDE

TO THE

TRIAL OF SKILL &c

If it was allowable for a certain person in his capacity as a candidate of a party, about an Election for Knights of the Shire, to call in a Trial of Skill between the Party and an eminent Jurist, then one of the Candidates, I may as well apply the same to Dr. Schooner's approaching Trial. Upon which I shall not presume to anticipate the Judgment of those Jurists, which is wholly and contrary to Justice. I have said as much. Neither should I have said upon his impudently Answer to the Impeachment which he drew upon himself, had not that Aggravation of his Offence been published, as an Appeal to a worse Man, than Order those whom he represents as such, and to create a Prejudice in his Favour, or rather to excite the Tumult which he had stirred up, and in Defence of a standing Order before



PRELUDE

TO THE

Trial of Skill, &c.

IF it was allowable for a certain *Pre-
late*, in his *circular Letters* to his Cler-
gy, about an Election for Knights of a
Shire, to call it a *Trial of Skill between
the Church* and an eminent Patriot, then one
of the Candidates; I may as well apply this
to Dr. *Sacheverell's* approaching *Trial*: Up-
on which I shall not presume to anticipate
the Judgment of *those Powers*, which he in-
solently, and contrary to *Scripture*, sets him-
self against. Neither should I have touch'd
upon his imparliamentary Answer to the
Impeachment which he drew upon himself,
had not that Aggravation of his Offence been
publish'd, as an Appeal to a worse *Mob*, than
those whom he represents as such; and to
create a Prejudice in his Favour, or rather
to excite the Tumults which he had threa-
ten'd, and in Defiance of a standing Order

*Vid. the
Order a-
gainst
printing
Matters
depending
before
of them.*

of the House of Lords, as well as in Contempt of the Commons of Great Britain.

I must needs say, the Price of the Pamphlet, to those who are not of the *Peculium*, is an unreasonable Tax upon their Curiosity: But the Treatment he gives so considerable a Part of the collective Wisdom of the united Nations, is most justly provoking.

I foresaw he would have a difficult Task to make any colourable Defence; and that either he must have risk'd his Reputation with his stupid Admirers, by denying that he meant what he is charg'd with, or must have confirm'd the Charge.

The last he has chosen, but in so odd a Manner, recriminating, instead of excusing himself, that he has made it as necessary for the Representatives of the Commons of this Great Monarchy, to vindicate their own Honours, as the Authority by which they sit.

Hard, says he, is the Lot of the Ministers of the Gospel, if when they cite the Word of God in their general Exhortations to Piety and Virtue, or in their Reproofs of Mens Transgressions, or where they are lamenting the Difficulties and Conflicts with which the Church of Christ, whilst militant here on Earth, must always struggle; the several Texts and Passages by them cited, shall be said to have been by them meant of particular Persons and Things, and shall be constr'd in the most criminal Sense, and made, by such Construction, one Ground of an Impeachment for high Crimes and Misdemeanors.

Answer,
p. 12.

'Tis

'Tis strange he should have so mean an Opinion of his great and wise Judges, to think they could be so far impos'd on, as to believe his Applications of Texts of holy Writ, tended only to promote a good Life, or to put Men in Mind of the State of the Church militant here on Earth, without any Thing of Consequence to the Government: Which, certainly, will not leave its Rights to the Interpretations of such *Handlers of Scripture*, who throw Texts about like so many *Fire-brands*.

Whatever he suggests of his own Case, hard would be the Case of this Government, if a *Gown and Pulpit* should hallow any Manner of Expressions, and *Perversions of holy Scripture*, to sap the *Foundation of the Establishment of the Monarchy*; and the *grand Inquest of the Kingdom*, might not be permitted to enter upon that consecrated Ground, tho' extended far beyond the *Pulpit, or Church*.

According to the decent *Liberty* taken with the *House of Commons*, this *Print* is an *Appeal* to the *Publick*, whether they have not impeach'd a *Minister of God's Word*, among other Matters, for duly applying *Scripture*, in *Exhortations to Piety and Virtue*. Tho' 'twill be difficult to find any Thing of that Kind in his *Sermon at St. Paul's*.

He must not say, he speaks not this of his own Case, since but immediately before he had said, that *having no malicious or seditious Suggestions to imprint, he could not intend to wrest any Passages of holy Scripture to* p. 27.
the

(7)
the wicked Purpose charg'd in the fourth Article.

Where he weakly supposes, his bare Affirmation, that he meant no Ill, shall stand him in Stead against the plain and apparent Meaning of his Words. As if he did not know, that every Man, in his right Senses, must be thought to intend what his Words imply; nor makes it evident, that he has Suggestions to imprint as dangerous to our present happy Establishment, as his Intentions are contrary to it; and therefore, in the Way he takes to propagate them, apparently seditious.

To entitle himself to the Priviledge of a Minister of the Gospel of Peace, he ought to have demean'd himself peaceably in his Pulpit; or, by Marks of true Repentance, to deserve to be restor'd to the Priviledge he had forfeited. But instead of that, to treat the Commons as roughly as he does the Dissenters, and to play the Jesuit, while he would represent himself as a sincere Protestant, and a dutiful Son of the Church of England, impeach'd for maintaining its Doctrine; as it can never be justify'd, adds fresh Lustre to the Reputations of those of the other Gown, who refus'd to undertake to defend him in his own Way.

To convince even his own blind Huzzars of his egregious Prevarications, and bold, yet weak Defence, I shall give a few Specimens; which I shall endeavour to make Handles for some Hints, which may be of Use to those who want Directors in their Searches after Truth; the

the Paths to which are frequently rugged,
and obscure.

To begin with Ecclesiastical Matters.

Printed Sermon.

Printed Answer.

HAVING commend-
ed St. Paul, as
showing an exempla-
ry Resolution against
false Brethren, he adds,
‘ Yet if our Dissenters
‘ had liv’d in those
‘ Times, they would
‘ have branded him as
‘ an intemperate, hot,
‘ furious Zealot, that
‘ wanted to be sweeten-
‘ ed with the gentle
‘ Spirit of Charity and
‘ Moderation, forsooth!
‘ Schism and Faction are
‘ Things of impudent
‘ incroaching Natures,
‘ they thrive upon Con-
‘ cessions, take Permif-
‘ sion for Power, and
‘ advance a || Toleration
‘ immediately into an
‘ Establishment; and
‘ are therefore to be
‘ treated like growing
‘ Mischiefs, or infectious
‘ Plagues. Let us there-
‘ fore have no Fellow-
‘ ship

AS to the last Part
of the second
Article, whereby the
said Henry Sacheve-
rell is charged with
insolently daring a-
ny Power on Earth
to reverse such Sen-
tences, the said Hen-
ry Sacheverell saith,
that the Sentences
which he dares any
Power on Earth to re-
verse, are such, and
such only as are ra-
tify’d in Heaven,
and such Sentences he
still affirms to be, by
any earthly Power,
irreversible; and
hopes it will not be
thought Insolence in
him to affirm, what he
conceives would be Bla-
spemy in any one to
deny. And does far-
ther acknowledge him-
self firmly to believe,
that some Sentences
pro-

**This is of the Dis-
sengers from the
Church of England
in general.*

*|| He admits the Dis-
sengers have a
Toleration All these
are to be treated
like grow-
ing Mis-
chiefs, on
infectious
Plagues.*

'ship with those Works pronounc'd by the Pa-
 'of Darkneſs, but ra- ſtors of the Church,
 'ther reprove them. are ratify'd in Hea-
 'Let our ſuperior Pa- ven, and that ſome
 'ſtors do their Duty in Perſons exempted by
 'thundering out their the particular Laws of
 'Eccleſiaſtical Anathe- the Land, may yet, by
 'ma's; and let any Power the Laws of Chriſt,
 'on Earth dare to re- be juſtly liable to ſuch
 'verſe a Sentence rati- Sentence; and that
 'fy'd in Heaven. Let Schiſm, or a cauſe-
 'them diſcountenance leſs Separation from
 'all theſe ſeditious, a Church injoining
 'luke-warm, almoſt Chri- no ſinful Terms of
 'ſtians, and promote Communion, is a Sin
 'Men of Probity, Con- which expoſes the Per-
 'ſcience, and Courage. ſon guilty thereof, to
 'the Cenfures of the
 'Church.

According to his wild Way of ſkipping from one Thing to another, they who continue Schiſmacks, or Separatiſts from the Church, are advanc'd in it by our ſuperior Paſtors.

Here any unprejudic'd Perſon may eaſi-
 ly ſee, that while he would give an artful
 Turn, he confeſſes the Charge, that he ſug-
 'geſts and maintains, that it is the Duty of
 'ſuperior Paſtors, to thunder out their Ec-
 'cleſiaſtical Anathema's againſt Perſons en-
 'titl'd to the Benefit of the Toleration, and
 'inſolently dares or deſies any Power on Earth
 'to reverſe ſuch Sentences.

Not to obſerve his unſcriptural Notion of
 Schiſm, which in Scripture is apply'd on-
 ly to Chriſtians of the ſame Communion; 'tis
 evident, that he ſpeaks of Diſſenters in ge-
 neral

neral, whom he supposes to be guilty of *Schism*, because of a *causeless Separation* from that Part of *Christ's Church*, which has the *legal Establishment*.

All these his *Schismatics*, he would have excommunicated; and takes it for granted, all such *Sentences* will be *ratify'd in Heaven*. Neither, surely, would he be thought so far to derogate from that *Power of the Keys*, which Men of such Notions assume; as to insinuate, that *Excommunication* is a mere *Ecclesiastical Scare-crow*; signifying nothing, unless the *Sentence* be such, as *God Almighty* authorizes them to pronounce. But how can the *Doctor* be certain, that any particular *Sentence* is *ratify'd in Heaven*, and that 'tis *Blasphemy* to speak, or act, against such *Sentence*? But,

2. 'Tis evident, that he either ignorantly, or profanely, applies the Word *Blasphemy*; since whatever Colour he would give it, he manifestly speaks of the *Ecclesiastical Sentence*, as pronounc'd by a *superior Pastor*; not as *ratify'd in Heaven*. The *Ratification* of which cannot be known, either by the *Pastor*, or that *Power* which he dares to attempt the *Reversal* of the *Sentence* here below.

3. No Excuse can be made for the *Suggestion*, as if *Blasphemy* were contain'd in the Charge against him, for his defying any civil Power to interpose in such *Ecclesiastical Censures*; and there's certainly much more Danger of incurring a *Premunire* in

B

deny-

denying her Majesty's Supremacy in Ecclesiastical Matters, and her Authority to reverse such Censures, by a Power delegated to Commissioners, tho' most of them, if not all should be *Lay-Men*.

What he maintains about her Majesty's Title to the Crown, and the Revolution, to which (through God's Providence, and Blessing upon the Arms which true Sons of the Church of England invited and join'd) she owes it, is no more excusable, than his Rant about Church-Censures.

Printed
Sermon, p.
18.

1. He speaks of treasonable Reflexions publish'd on her Majesty, whose hereditary Right to the Throne, he lays, A Brood of Villains have had the Impudence to deny and cancel, to make her a Creature of their own Power; and to tell us they, that is, the Mob, may re-assume the Crown at their Pleasure.

Thus he can't charge upon any Set of Men now in Being, for their Tenets or Expressions; but supposes to be the Consequence of holding, that her Majesty has her Crown by such a Title, as it may be a great Question whether 'tis not Treason to deny.

Answer, p.
9.

2. According to his Way of Reasoning, that he does not reflect upon the Revolution, nor the Resistance made to the Power of the than King, because he charges Persons with holding they may cancel their Allegiance at their Pleasure; and he would be thought to condemn no Body, who justifies

has the *Resistance* at the *Revolution*, unless they answer his Description in every Thing. One might argue, that neither does he himself allow her Majesty's *hereditary Right*, unless it come up to his Notion of *hereditary*, by such an Appointment as is *superior* to any Act of Parliament since the *Revolution*. But as he makes *Self-Defence* in any Case, equally to justify *Rebellion* against the best of Princes; so he would infer, that they deny her Majesty's *Right*, who have a different Notion of it from that which he and others would pretend to teach us in the Name of God.

Certainly Men can't be said to *cancel* the *hereditary Right*, and that the *Mob*, or *States* of the *Realm*, who are plainly, with him, Part of the *Mobility*, may *re-assume* the *Crown* at their *Pleasure*, because of their denying an *hereditary Right*, by *immediate divine Appointment*; and of their asserting it to be in the *Hæres facta*, by the *Mediation* of second Causes. But a *divine Right*, contrary to *High-Church's* Notion of *legal Right*, is impossible to be ascertain'd without *immediate Revelation*; considering the *Oaths* recorded in *Chancery*, concerning the Birth of a Child, always own'd by the real or pretended Parents.

3. Whatever he would be thought to believe concerning her *present Majesty*, that he condemns the *Revolution*, and the Settlement of the *Crown* upon the *Hannoverian Family* contrary to the Notion of *hereditary Right*; and that therein he preach'd *Sedi-*

tion, and blew the *Trumpet* to the Numbers of *Hearts* and *Hands*, of which he boasted in the *Preface* to his *Affize-Sermon*, is evident, as it will soon be, that he condemns the *Revolution*, if, as the *Commons* rightly hold, *Resistance* was us'd as the *necessary Means* to it.

Printed Sermon.

Printed Answer.

Sermon, p. 12.

Answer, p. 9, 10.

THE grand Security of our Government, and the very Pillar upon which it stands, is founded upon the steady Belief of the Subject's Obligation to an absolute and unconditional Obedience in all Things lawful, and the utter Illegality of Resistance upon any Pretence whatsoever. But this fundamental Doctrine, notwithstanding its divine Sanction in the express Command of God in Scripture; and without which, it is impossible any Government of any Kind or Denomination in the World should

THE said Henry Sacheverell denies, that he does in the said Sermon suggest and maintain, that to impute Resistance to the said Revolution, is to cast black and odious Colours upon his late Majesty, and the said Revolution. The Persons whom the said Henry Sacheverell in his Sermon describes, as casting black and odious colours upon his late Majesty and the Revolution, are not those who impute Resistance to the said Revolution, of whom the said Henry Sacheverell

Where is this express Command to be found?

' should subsist with *verell* affirms no-
 ' Safety, and which thing; but those new
 ' has been so long the Preachers, and new
 ' honourable and di- Politicians, who teach
 ' *stinguishing* Character- in Contradiction to *That is, di-*
 ' *stick* of our Church, both Gospel and the *stinguish-*
 ' now seems quite ex- Laws, that the Peo- *ing* Di-
 ' ploded and ridicul'd ple have the Power in- *struction.*
 ' out of Countenance, vested in them, the
 ' as an unfashionable, Fountain and Orig-
 ' superanuated, nay, inal of it, to cancel
 ' (which is more won- their Allegiance at
 ' derful) as a dangerous Pleasure, and to call
 ' Tenet, utterly incon- their Sovereign to an
 ' sistent with the Right, Account for high Treas-
 ' Liberty, and Property of on against his Sub-
 ' the People, who, as jects, nay, and to de-
 ' our new Preachers, and throne and murder
 ' new Politicians teach him for a Crimi-
 ' us, (I suppose by a nal, as they did the
 ' new and unheard of Royal Martyr by
 ' Gospel, as well as Laws) a judiciary Sentence;
 ' have, in Contradicti- who are Maintai-
 ' on to both, the Pow- ners of Antimonar-
 ' er invested in them, chial Schemes, and
 ' the Fountain and O- of such damnable Po-
 ' riginal of it, to can- sitions, as are by the
 ' cel their Allegiance at Laws of Church and
 ' Pleasure, and call their State condemn'd for
 ' Sovereign to Account Rebellion and high
 ' for high Treason a- Treason; and who
 ' gainst his *supream* Sub- urge the Revoluti-
 ' jects, forsooth! nay, on in Defence of such
 ' to dethrone and mur- Prin-
 ' der

It seems by him the Constitution of Church and State is alter'd, tho' not so far.
 der him for a Criminal, as they did the *Royal Martyr*, by a judicial Sentence: And what is almost incredible, make their Court to their Prince by maintaining such antimonarchical Schemes. But God be thank'd, neither the Constitution of our Church or State is so far alter'd, but that by the Laws of both, (still in Force, and which I hope for ever will be) these damnable Positions, let them come either from Rome or Geneva, from the Pulpit or the Press, are condemn'd for Rebellion and high Treason. Our Adversaries think they effectually stop our Mouths, and have us sure and unanswerable on this Point, when they urge the Revolution of this Day in their Defence. But certainly they are the greatest Enemies of that, and his late Majesty, and the most ungrateful for the Deliverance who endeavour to cast such black and odious Colours upon both.

How can there be Rebellion in Positions?
Blunder instead of that they are unanswerable.
On which Side the Ingratitude lies, is most evident.

Printed Sermon.

Printed Answer.

Sermon, p.

13.

Answer, p.

8.

HOW often then must they be told, that the King himself solemnly disclaim'd

AS to that Part of the first Article, whereby the said Henry Sacheverell

is

'claim'd the least Im- is charg'd with the
 'putation of Resistance suggesting and main-
 'in his Declaration, taining, that his late
 'and that the Parlia- Majesty, in his De-
 'ment declar'd, that clamation, disclaim-
 'they set the Crown ed the least Imputa-
 'on his Head upon no tion of Resistance;
 'other Title but that of the said Henry Sa-
 'the Vacancy of the cheverell doth ac-
 'Throne? And did knowledge himself to
 'not they unanimou- have made such Sug-
 'ly condemn to the gession, and declares,
 'Flames (as it just- that he made it not
 'ly deserv'd) that in in Dishonour, but
 'famous Libel that in Vindication of
 'would have pleaded his said Majesty.
 'the Title of Conquest, The Resistance the
 'by which Resistance said Henry Sache-
 'was suppos'd? So tender represents the
 'der were they of the late King to have
 'regal Rights, and so disclaim'd, being such
 'averse to infringe a Resistance as tend-
 'the least Tittle of the ed to the Conquest
 'Constitution. We see of the Realm; as
 'how ready these In- plainly appears from
 'cendiaries are to take that Part of his late
 'the least Umbrage Majesty's Declara-
 'to charge their own tion, which is refer-
 'cursed Tenets on the ed to, and Verba-
 'Church of England, tim set forth at the
 'to derive their Guilt Bottom of the same
 'upon it, and quit Page, in which he
 'Scores with it for mentions his late Ma-
 'their Iniquity. Thus jesty's disclaiming a-
 'do ny

do they endeavour by such Imputations, to draw Comparisons, and to justify the horrid Actions of forty One, which have been of late Years, to the Scandal of our Church and Nation, so publicly defended, not only by the Agents and Writers of the *Republican Faction*, but by some that have the Confidence to stile themselves *Sons and Presbyters* of the Church of *England*. Who, in open *Defiance* of the most *peremptory Declarations* of *God in Scripture*, (never to be evaded by any Shifts or *Misrepresentations*) and the *universal Doctrine* and *Expositions* of the *Catholick Church* upon it in all *Ages*, with the express *Testimony* and *Concurrence* of our Church, from its *Reformation*, down to the present *Times*, corroborated with the *Sense* of our *Legislature*, so unexceptionably confirm'd in our *Laws*, dare, in *Despite* of all this *Evidence*, manifestly defend the *Resistance* of the *supream Power*, under a new-fangled *Notion* of *Self-Defence*; the only Instance they shew of *Shame*, that they dare not yet maintain *Rebellion* by its proper *Name*. Yet, if those *silly Pretences*, and *weak Excuses* for it alledg'd, carry any *Strength* of *Reason* in them at all, they will equally serve to justify all the *Rebellions* that ever were, or can be committed in the *World*.

Twas

'Twas necessary to Transcribe all this, to shew the meaning of which no Man can doubt, who considers it entire.

And 'tis most Evident, that as it began with supposing, that all the Power necessary for the Subsistence of all Governments, is in the Prince (which Power must of its own Nature be absolute,) That, therefore the Obedience of the Subjects, as to all Things necessary for the Subsistence of the Government, is, by *Divine sanction*, absolutely unconditional, not to be Limited by Human Laws ; that this is, in a Distinguishing Manner, the Doctrine of the Church of *England* ; And that whosoever maintain the contrary, must be thought to Deny Her Majesty's Right, and pretend that they may *cancel* their Allegiance at Pleasure : tho they have readily and sincerely recognized Her Right, according to the Acts of Settlement, which 'tis certain every Clergy-man, who swears to it, does not.

Because he does not impute to *K. William* the designing a *Conquest* over the Nation, nay shews His Majesty disclaimed that Surmise, in urging the Improbability, they who had invited Him, should joyn in a wicked Attempt of *Conquest* over themselves; he would weakly infer, that Prince did not encourage them to resist the King in Possession. The Consequence of which 'tis impossible to discern without High Church Spectacles.

But Men of such Prepossessions, which they have imbib'd with the *Milk* of their *alma Mater*, think it impossible how *Regal Power* should

without an immediate Designation and Appointment from Heaven, be transferred from a King, who had been *rightful*, to one who is not next in the *Line*, without a *Conquest* over both *King* and *Kingdom*. Hence a *certain Prelate*, whom for Honors sake I do not name; in *hopes* no doubt, of bringing Clergymen less easily convinc'd than himself, to own that *K. James's Right* was gone to all Intents Purposes, holds that

God's
Ways of
disposing
of King-
doms.

Jovian.

If one *Sovereign Prince* conquer another, the Subjects thereby become *Slaves*, till they can obtain more gentle Terms.

Ev'n this is short of *Dean Hicks*; who upon his Distinction between *Imperial* and *Political Power*, supposing, that whatever Political Limitations there may be, the Prince has an *absolute Imperial Power*, by the Ordinance of *God*, confirming what he, in his way, argues to be the Law of this Land; affirms that, *The Subjects are, and ought to be SLAVES, if the King pleases.*

Of which the *Dean* has been advertis'd more than once: but never would so far condemn his *Separation* upon Account of the *Oaths*, as to renounce the true Foundation of it.

But 'tis absolutely necessary for Men of such Notions, to devise some way, whereby Princes may come to an *absolute Power*, without any Intervention of the People. And that this Power should be limited only in the *ordinary Exercise*, but may of *divine Right* be extended farther. And therefore no sort of Exercise of it can discharge the Subjects from

(19)
from their Allegiance. And whether the Prince will be *Liege* or lawful Lord or no, they are bound to continue his *Liege* Men.

To justify Dr. *Sacheverel*, and propagate such destructive *Tenets*, with the Authority of a Great Name; notwithstanding the late Act of Parliament, which makes it *high Treason*, by printing, *maliciously*, advisedly & directly, to maintain and affirm, that the Kings and Queens of this *Realm*, are not able to make Laws of sufficient Force and Validity, to limit and bind the *Crown*, and *Government*; and that this is no more than had been Enacted long before in Queen *Elizabeth's* Reign; a Treatise has been lately published, wherein 'tis held of all Kings, who are more than *equivocal* or *Nominal*, that they are truly said (a) to be exempted from Subjection to Laws, and 'tis positively affirm'd, that they are not tied (otherwise than for Convenience and good Example sake) to the Observance of such as are merely positive and temporary. That no Man may doubt his Meaning, 'tis to be observed, that the Author of that Treatise had this former (b) Passage.

By the Law of the King I understand such Ordinances, as are merely civil and positive.

For this he cites a *Civilian*, who says, No Man can impose such a Law upon himself, but that he may recede from it at Pleasure.

And 'tis plain, that both that Author, and Bishop *Sander son*, the first Publisher, if they are two Persons, held that the whole *Legislative* Power in *England* is in the King,

Vid. Stat.

13 *Eliz.*

The power communicated by God to the Prince Published under the Name of *Archb.* *Usher.* Printed for *Sam. Keble.*

An. 1710.

p. 103.

(b) lb.

p. 73.

But 'tis strange the Opinions of *Civilians* in relation either to the *Roman* or other *Governments*, shoul be applyed to all in general : especially since the *Institutes* of the *Civil Law*, give a quite different Idea of the Nature of Government, giving it as an indubitable *Maxim*, that the *Civil Law*, as distinguish'd from the Laws of Nature and Nations is, *That Law* which every People has constituted to it self ; It says indeed among ways by which Laws were introduced among the *Romans*, *What has pleased the Prince has the force of Law*, which because by the Law of the King, was made concerning his Power, the People had conferred all their *Jus suum*. Power to and upon him.

As the *Jus suum* may be render'd [theirs] or [his] Judge *Bracton*, who was an excellent *Divine*, *Common Lawyer*, and *Civilian*, recites the same Words, but apparently in a Sense according to our Constitution ; and holds no more than a learned Chief Justice long after, who thus express'd himself of a *King of England*, in a Treatise for the Instruction of the *Heir apparent of the Crown*, whose Father had rais'd the Monarchy to the highest pitch of Glory.

Fortescue
p. 32. Ch.
Justice
temp. H. 6.
This writ
temp. H. 5.

AD Tutelam Legis, subditorum, **S**UCH a King is erected for the Protection of the Law, his Subjects, and their Bodies and Goods. And he has this incident to this Power de- ei non licet potestate rived from the People, that he

alia suo populo domi- he has no Liberty to
nari. govern his People by
 an other Power.

What *Bracton* had thought would be the consequence of a King's assuming another Power, appears from these Words, which I have known *Clergymen* to cite by halves.

REX non habet superiorem prater Deum, & Legem, & Curiam suam, Comites & Barones. Qui si act without a Bridle, Rex agit sine Frano, ought to put a Bridle debent ei frantum imponere.

THE King has no Superior, but God, and the Law, and his Court, who, if the King ought to put a Bridle upon him.

vid. Bract. That the Commons were comprehended under the Word Barons, & that this Court was the Parliament, *Vid. Fan. Angl. faciem novam. And Jus Angl. ab antiqua.*

And that this might be done by resistance in Arms, if other means fail, was but Part of the Great Charter, exacted from King *John*.

But hence have proceeded the chief Disturbances (since the Clergy joyn'd with the People in the Reigns of King *John* and *Hen.* 3. to assert the Fundamentals of the Government,) that whether the States, the proper Subject of such Part of the Power of the People, as they have not given up, have parted withal, or no; *Clergymen* will have it, that 'tis all in the Prince by the Law of God. Thus Bishop *Sanderson*, who to say no more, has carryed his *Casuistical Talent* beyond his Sphere, says,

'The absolute and unlimited Power, which Princes have by the Ordinance of God, hath at all

Pref. to the Power communicated by God, &c.

all times, and in all Nations been *diversly limited* and bounded, in the *ordinary Exercise* thereof, by such *Laws and Customs*, as the *Supreme Governours* themselves have *consented* unto and *allowed*.

This is the *Quintessence* of *Torism*: and is the true new *fangled Doctrine*, which Clergy-men have too much run into since *Queen Elizabeth's* days, when the Learned *Bilson*, to whose being made a Bishop by King *James*, 'twas then no Objection maintained, that every Nation is to be presumed to have reserved to it self a Pow'r to preserve its Constitution.

That this was not only the Sense of that truly pious and learned Bishop, but that the Body of the Clergy, to their Praise be it spoken, were of that Bishop's Judgment, and far from thinking the holding that the Revolution was brought about by Resistance, would be to cast black and odious Colours upon his late Majesty, and the Revolution; may appear by Part of their most authoritative Acts confirmed by Parliament.

Act for
Conf. of
the Subsi-
dies Gran-
ted by the
Clergy in

13. Eliz.

See ano-
ther Act to
the same
purpose.

5. Eliz.

In the Preamble to the Subsidies granted by the Province of *Canterbury* 13. of the Queen they mention their considering Her Majesty's *inestimable Charges* among other things,

'In procuring so much as in your Highness
'hath lain, by all godly and prudent Means,
'the abating of Hostility and *Persecution*
'within the *Realm of France*, and in other
'Places, practised against the Professors of Gods
'Holy Gospel, and true Religion. Pondering also
what

‘ what Charges your Highness hath been at, to
 ‘ reduce the Scots to an Unity and Concord
 ‘ among themselves.

And by an Act of that Body towards the
 Latter End of that Glorious Reign, they
 grant a Subsidy,

* ‘ Remembring on the one side the Number * Act. 43.
 ‘ and Importance of those Benefits which her Eliz.
 ‘ Majesty’s wise and godly Government yiel-
 ‘ ded to all Degrees and Sorts, and in a special
 ‘ manner unto them (for who, say they, hath or
 ‘ should have a livelier Sense, or better Remem-
 ‘ brance of your Majesty’s Princely Courage
 ‘ and Constancy, in advancing and protecting
 ‘ the free Profession of the Gospel, within and
 ‘ without your Dominions, against so many
 ‘ & so mighty Adversaries thereof; or of your
 ‘ Christian Care to maintain Peace within
 ‘ your Kingdom, and among your People than
 ‘ your Clergy ?

The like Subsidies were at the same Times,
 granted by the Clergy of the Province of
 York, and upon the same occasions.

But can, what our Clergy thought so much
 to the Glory of that Protectress of the Prote-
 stants in other Kingdoms, tarnish K. William?

Nay, after all the Effects of Envy to Mr.
 Hoadly, for the unequalled Reputation with
 which he enlarged upon the Notions of the
 Church of England’s best Champion, Mr. Hoo-
 ker, even the reputed Chief Penman of Dr.
 Sacheverel’s Answer, is far from condemning
 the Revolution, as founded upon Resistance,
 or thinking that this Supposition, would cast
 black and odious Colours upon his late Majesty,
 and the Revolution.

Dean

Dean Aterbury, in his *Concio ad Clerum Londinensem*, after he had shewn his Art, and Warmth of Imagination, upon jumbling together what St. Paul says of *lawful Power* in the abstract, and St. Peter of those *humane Creatures, Princes and Magistrates*, from whence the Dean would infer, that even their unlawful Acts carried with them the Authority of the Prince, (or as Dean Sherlock had it, before of the Sovereign Power) has this remarkable passage.

Case of
Resistance
P. 19.
and p. 22.

P. 27.

A*T* vero (inquit aliquis) tam late patet, ita quaque versum se diffundit Precepti hujusce vis, ut nullis usquam circumscripta sit finibus, nullus atque res Humane ceciderint parendi statnatur modus? Una hec est inter omnes officiorum formula, a qua ne transversum quidem unguem liceat discedere? Quid si Rempublicam, cui conservanda destinantur principes pro Libidine sua ipsi lacerint ac pessandent? Quid si jura omnia, humana atque Divina pervertant

BUT some Body will say, is the Force of this Precept wheresoever it so diffuses it self, so extensive that 'tis no where Circumscribed in any Bounds? May no Measure be set of Obeying, howsoever humane Affairs may fall? Is this the Simple Form of Duties from which one ought not to depart, so much as a Nails Breadth? What if the Common-wealth, for the Conservation of which Princes are designed, they themselves tear and destroy? What if they pervert Humane and Divine lights? If they enormously rage against the

tant? *si in Civium* the Lives and Fortunes
Capita ac Fortunas im- of the Subjects? If they
maniter sevant? Si attempt with a nefari-
id moliantur, ut Pa- ous Wickedness to sub-
triam, aliena Domina- ject the Country to a
ioni, nefario sciere Foreign Power? Shall
subficiant; an non Po- it not be Lawful for
pulo licebit his co- the People to Obviate
natibus obviam ire? these Endeavours; to
hac Amentia refra- restrain this Madnes;
nare? Hac à se Per- to Depel from them
niciem Pestemq; depel this Mischief & Plague?
lere? sunt sanè qui Indeed there are grave
licere hoc contendunt, & good Men who contend
Viri graves & boni; that this is Lawful, and
quique in tuendis Regum who have themselves
Juribus, in repri- employed much, and
mendâ Populi Licentiâ, useful Labour in De-
multam ipsi operam fending the Rights of
atq; utilem posuere. Princes, and repressing
 the Licentiousness of
 the People.

What does Loyal Dean Atterbury main-
 tain, that Grave and Good Men, and such
 as have well Maintained the Rights of Princes,
 have defended this New Fangled Notion,
 which, with Dr. Sacheverel, is contrary to
 the Express Command of God in Scripture,
 the express Testimony of our Church, from
 the Reformation to the present Times, and all
 his flood of Authorities? Are they grave
 and good Men, whose Notions Dr. Sacheverel
 assures us will equally serve to Justifie all the
 Rebellions that ever were or can be committed?

But how can he be thought not to Condemn such *Resistance*, as our Representatives have declar'd to have been the *Necessary Means* used to bring about the *Revolution*; when he both in his Sermon and Answers, expressly Treats of the *Revolution*: and shews evidently, that King *James* is looked upon by him, not only as the Person who was the Chief in the Exercise of the Supreme Power; but that his Person was *the Pow'r*: in Relation to whom, as the subject Matter shews, he having expressly Treated of the *Revolution*: he hopes that a Dutiful Son of the *Church of England* by Law Established, a sincere Protestant, and faithful Subject of Her Majesty, shall not suffer for the Doctrine of Non-Resistance to the Supreme Powers.

But then, the Asserting this supposed Doctrine of the *Church of England*, according to his great regard to the 13 *Ch.* to the *Romans*; and Paying Honour to whom Honour is Due, he conceives (and publishes that Assertion) to be the Chief, if not only Ground of the Charge against him in the first Article.

To Prove this to be the Doctrine of the Church, he cites a Passage in the *Homilies*: Which he takes a great deal of needless Pains to Prove, to be Obligatory to the Clergy: Whether they are so or not, 'tis hard they should make, what they sign but as *Articles of Peace, Banes of Contention*: and should require the *Laiety* to believe all that is contained in the *Articles* and *Homilies*, as necessary Doctrine, while they themselves have Liberty to dissent; notwithstanding their unfeigned Assent and Consent. Whatever they take to be the Sense of

of the *Homilies* about the Natures of Sovereignty and Subjection; Bishop *Bilson*, who should know the Doctrin of the Church of England in Q. *Eliz.* Days, held that

‘ If a Prince shall go about to sub-
ject his Kingdom to a Foreign Realm, or
change the Form of the Commonwealth
from * *Imperie* to Tyranny; or neglect the Laws
established by Common Consent of Prince and
People, to execute his own Pleasure. In these
and other Cases, which might be named,
if the Nobles and Commons joyn* to defend
their ancient and accustomed Regiment; and
Laws, they may not well be accounted Rebels.

Bilson, Of the difference between Chr. Subjection and Rebellion, Ed. An. 1586. p. 279. * He had a different Notion of Imperial Power from Dean Hicks.

Here is that *Self-Defence*, which with Dr. *Sacheverel* is a new Doctrin; tho’, in truth, it is the old Doctrin of the Reformation, reviv’d after great pains to bury it.

That excellent Divine adds,

P. 280:

‘ I never deny’d, That the People might
preserve the Foundation, Freedom and Form
of their Commonwealth; which they forepres-
zed, when they first consented to have
a King.

That this was the uniform Judgment of our Protestant Clergy of those Days, appears by the above cited Clauses, in Grants of Subsidies to encourage and support the Protestants, both in France and Scotland; while they resisted their Princes, in Defence of their Religious and Civil Rights.

The Words of the Tortured Homily, are no more than these;

‘ It is not Lawful for Inferiours or Sub-
jects

jects, in any Case, to resist and stand against
 the Superior Powers; for St. Paul's Words
 are plain, that whosoever *withstandeth* shall
 get to themselves *Damnation*, for whosoever
 withstandeth, withstandeth the Ordinance
 of God.

Vid.

Dr. Atter-
 bury's sense
 of the
 Text.

Page. 10.

Vid. Grot.

De Jure

Belli &

Pacis.

Where the Word Power is used without
 any Explication, and in general Terms,
 comprehending the *Common Subject of Power*,
 which the learned *Grotius*, the acute Mr. *Hondly*,
 and others, have shewn to be the several
Masters of Families, enter'd into one *Com-*
munity; & the Proper subject, the Superior, or
Inferior Magistrates, in whatsoever Manner
 they are respectively Entitled, to enjoy that
 indivisible *absolute Power*, whereby every
distinct Community, not depending upon
 another *Community*, or Person, must Govern'd.

Sermon.

Pag. 11.

Even Dr. *Sacheverel* owns that the Con-
 stitution of most Governments, differing,
 according to their *several Schemes upon which*
they are Built and founded, it is impossible
 to lay down any one *Universal Rule*, as the
Scheme and Measure of Obedience, that may
 square to every one of them.

What is
 not the
 Obedience
 to be abso-
 lute and
 uncondi-
 tional, to
 the Person
 chiefly
 entrusted
 in the Ad-
 ministrati-
 on?

Yet as Contradictions are nothing with
 such Arguers; he pretends from Scripture to
 prove, that the Subjects of *England* ought
 not, even upon such Events as preceded
 the *Revolution*, to rise in Arms in Defence
 of their Religion and Laws; and in effect
 Condemns the Act of Parliament which
 makes every *Papist* incapable of being King
 or Queen of this Realm.

And indeed, according to the Notions of
 such Men, tho' the Scripture gives not the
 least

least Colour to such Imaginations, every King, as such, is *absolute* and must be so, if (which is the most that is allowed the Subjects by these Men,) even where the *Royal Family* is extinct, all their Power is but, *Potestas designativa Personae*, the pitching upon a Person for their King: to whom God Almighty, at the instant of his being King, by a proper Work of Creation, confers *Absolute Power*.

Something like this Dr. Sacheverell Hammers at; but it so sticks in his Throat, That as in other Cases, 'tis but an *empty sound*.

He would be thought to make *Absolute* an *Unconditional Obedience* the Pillar of our Government: yet confines it to *Things Lawful*. According to such Mens Notions of the *Supreme Power*, and indeed what all must own of that Power in the *abstract*, by *Lawful* in that Sermon, he could mean only by the *Law of God*. But this, even he had not the Courage to speak out; and say, the Subjects of *England* are bound to Obey the King in all things not contrary to the *Law of God*. And certain it is, that in the Sense of those, who will have all, who defend the *Right* of the *Revolution* to be *Republicans*; whatever Prince has any other Restrictions than from the Law of God, is not properly a *King*: as was observ'd above, and might appear more at large out of that posthumous Work, published to the prejudice of Archbishop *Usher*, otherwise of unspotted Fame.

The great Argument for the Kings absolute Power is his being recognized, as next and immediately under *God and Christ*, *Supream*

Vid. The Power Communicated by God to the Prince.

Page 8.

Of the

Word Hu-

mane

Creature.

That this

implies

God's Or-

dinance as

Creation,

Primarily

Apper-

tains to

him.

Vid. Sup.

pream Head and Governour: which Bishop Parker advanced to the being above Christ in his own Dominions. But as this Supremacy is in *Ecclesiastical Matters*, as well as *Civil*; let the Clergy apply it to their own Concerns; then see how they mumble it.

Sand. De Bishop Sanderfon, the Chief Guide to our present *Sacheverels*, as to Civil Matters, allows this Supremacy to the King in the Legislature; tho the King may condescend to take the Consent of the States of his Realm. But then he places the *Jus condendi Leges Ecclesiasticas*, in the Bishops, and others chosen by the Clergy. Who, indeed, condescend, not to make those Laws without the Consent of the Prince. But it seems the Power both of Prince and Clergy, is absolute by the Ordinance of God. And in Cases of necessity, each ought to exercise the Power God has entrusted them with.

Far be it from me, to charge such Opinions upon the Body of our Clergy. I cannot but hope the Eyes of most of them are opened by the Revolution; and tho due weighing what Oaths they have taken.

They cannot but consider, they have sworn to the Right of the Settlement of the Crown, after her Majesty; as well as to her own Right.

Deansher- lock. If the vain Notion of the divine Right of the first in the Royal Line, be consistent with her Majesty's Right; 'tis evident it is not with the subsequent Limitations. And tho a late celebrated *Dean*, that is dead, came over upon an imaginary Conviction, that

Usurpers

Usurpers are *God's Ordinance*; 'tis certain, that can give the supposed *Usurper* no security of the *Fidelity* of the *Swearer*, and of his assisting in time of need. Accordingly, that *Dean* declared, he was not *Lawyer* good enough to determine, what the *Subjects* ought to have done, if the late *King James* should have landed here, and the two *Kings* should have issued out *Counter-Commissions*.

What *Security* can a *Prince* upon a *Legal* *Establishment* have, if Men will fancy from the *Authority* of *Bishop Sanderson*, that no *Allegiance* ought to be sworn to a *King de facto*, without a *tacit Reserve*; and by virtue of the *presumeable Consent* of the *King de Jure*, least his faithful *Subjects* should be deprived of all Means of serving him; and that the old *Law* of the *Romans*, as the *Dictate* of *Nature* [Be the *Safety* of the *People* the *Supreme Law*] chiefly regards the *King* as their *Head*; and that *Kings* were not ordained for the *Good* of the *People*; or, as the *Apostle* has it, *not for a Terror to good Works, but to evil*; so much as the *People* were made to promote the *Pleasures*, and *Glory* of their *Prince*?

Vid. De
Oblig. Con-
scient.

On the other side, tho Men should apprehend a *Government* was settled by unwarrantable Means; yet if they would receive that *Maxim* in the *Law* of *Nations*, 'That *Allegiance* and *Protection* are reciprocal, *Mutuo se ponunt & tollunt*, or that there may be *Events* upon which a *King* ceases to be *King*, even while he claims and pretends to be *King*; the *Oaths* to the present *Government* would

would be evidently a much better Security than they are, or can be, while the contrary Notions are maintained. . And it seems of the utmost consequence to prevent their Spreading.

If Clergymen would but allow this one Point of Law, that a Prince who renounces that Form of Government; which the *Constitution* has settled, thereby does *abdicate his Government* (which is no new Notion but derived from the old *Romans*, and applyed here as early as *Edw. II's* time) not only the Dispute about Kings *de facto* and *de jure* would cease; but that also of the *Irresistibility* of the Person of the Prince. For Lawyers will readily agree, that as resisting the Prince with Arms is *Rebellion* by our Law; it therefore is so according to the meaning of *St. Paul*; while the Person resisted continues in the Power which the Constitution had given him. But when he has renounced that legal Power, and assumed a despotic one, as the Fundamental Law of the Monarchy, received as such by the Confessor, and stipulated for with *W. I.* and sworn to by him, and most of his Successors, is express, *nec nomen Regis in eo constabit*, 'Not so much as the Name of King will remain in him.

And in *R.* the II's Time, some Years before the Differences between him and the Peers and Commons of England were brought to Extremities, they tell him, they had an ancient Statute, by which, 'If the King, thro a foolish Obstinacy, contempt of his People, or perverse froward Will, or any other irregular

Knighton
Int. 10.
Script. de
An. 12.
R. 3.

' Irregular Way, shall *alienate* himself from
 ' his People, and will not be govern'd and
 ' regulated by the *Rights of the Kingdom* and
 ' *laudable Ordinances* made by the *Council of the*
 ' *Lords and Great Men* of the Realm; but
 ' shall headily, in his own mad Counsels, ex-
 ' ercise his own *arbitrary Will*; From thence-
 ' forth it is lawful for them, with the *common*
 ' *Assent and Consent of the People* of the Realm,
 ' to *abrogate* or *deprive* him of his *regal Power*,
 ' and *elect* some Body near of Kin of the Royal
 ' Blood.

Which ancient Statute seems to be no other
 than the Confessor's Law of the Office of a
 King, requiring him to do all Things in his King-
 dom rightly, and by the Counsel of his Peers;
 and mentioning Acts by which he was to lose
 the Name of King. More Authorities might
 be cited, proving, as a learned Author has
 observ'd of the Kingdom of Israel, that ours
 has been, from the beginning of the Monar-
 chy, as to the Stock hereditary, as to Persons elective.

But that a King may by his *Male-Admi-
 nistration*, divest himself of his Authority,
 or abdicate it, is not only *common Law*, but
 what Reason taught a great *Divine*, and one
 more truly careful of the *Rights of Princes*
 than our warm Doctor: This was the learn-
 ed and pious Mr. Falkner, who argued stren-
 uously for the Declaration against Resist-
 ance, then required of our Clergy. Not-
 withstanding which, he agreed there might
 be Events, yet such as were not to be na-
 med or supposed till they should happen,
 wherein he could not except against what

Vid. Falk-
 ner's Chri-
 stian Loy-
 alty, p. 344,
 345.

was maintained by Grotius and others, That the Person who acted as King, and till then had *rightful Authority*, might cease to be King, and become a *Private Person*.

And thus Mr. Falkner prudently held, that it might be true, that the King was in no Case to be resisted; but he who had been King till his so turning himself out of Authority, might.

If this were the Case of *King James*, as it must not be denied; with what Face can the Doctor pretend to have the Authority of the *Church of England*, in not allowing that Resistance, which was necessary to bring about the Revolution, to have been warrantable, any more than *Rebellion* in any Case whatsoever?

That he does therein condemn the Revolution, is as evident, as 'tis that the then only *Supream Power*, in his Opinion, was resisted.

But tho' he broadly suggests, that the Resistance was criminal in them who resisted, and thereby occasion'd the Revolution; he thinks he is securely entrenched in his groundless Affirmation, that the Parliament declared, that they set the Crown on King William's Head, upon no other Title than that of the *Vacancy* of the Throne.

Sermon, p.
13.

I have purposely avoided observing several egregious Blunders, but cannot pass by this of a *Title of Vacancy*. A Title of or from *Election*, *Descent*, or *Limitation*, upon a *Vacancy*, is no new or uncouth Notion, and in such Case as the late *Abdication* was suitably applied, as early as King

John's

John's Time, upon the inviting-over *Lewis*, Vid. Mat. Par.
 the French King's Son, by reason of the
Vacancy wrought by King *John's* Male-Ad-
 ministration, and of *Lewis's* Proximity.

But how a *Vacancy* should of it self be a
Tale, I leave to the Learned of that Uni-
 versity, of which he boasts his having been a Pag. 12.
Member for more than twenty Years; and to
 have imbl'd and endeavor'd to propagate,
 the Doctrine taught there in the most so-
 lemn manner.

But whatever may be the Sense of that U-
 niversity, where did the *Parliament* declare, Vid. Mr. Whaly's late Sermon there, p. 12.
 that the Ground of their settling the *Crown*
 was only the *Vacancy*? Do they not evident-
 ly shew that the *Vacancy* was grounded upon
 the *Abdication*, and that the *Abdication* did
 not consist in King *James's* leaving the King-
 dom, which he shew'd to be *animo revertendi*; That what-
 ever the King does
 in all his re-
 gal & pub-
 lic Acts is
 by Virtue
 of his Com-
 mission
 from God,
 tho' to the
 harm of
 the Com-
 munity.
 but in those Instances which they enumera-
 ted, of his endeavouring to extirpate the
Protestant Religion, and the *Laws* and *Liber-*
ties of this *Kingdom*.

The Rescuing of which by King *William*,
 was according to the Judgment of our *Cler-*
gy in Queen *Elizabeth's* Reign, upon the like
 Interposition; a most pious and glorious
 Act, and what the *Clergy*, above all others,
 ought to extoll.

To proceed; The *Parliament*, or *Conven-* Vid. The Bill of Rights.
tion, which makes no real difference, having
 expressly declared all the Particulars they
 had mention'd, to be contrary to the known
Laws and *Statutes*, and *Freedom* of the *Realm*;
 and the late King *James*, having *abdicated*
 the

the Government, and the Throne being thereby vacant; they claimed, demanded and insisted upon several Articles of their undoubted Rights and Privileges: and resolved, that William and Mary, Prince and Princess of Orange, be declared King and Queen, to hold the Crown and Royal Dignity, during their Lives, and the Life of the Survivor of them; with Limitations over to the Heirs of Queen Mary's Body; after that to her present Majesty, and the Heirs of her Body, Remainder to the Prince of Orange, and the Heirs of his Body.

I may well appeal to all unbiassed People, whether it became a Minister of the Gospel to affirm for Truth out of the Pulpit, what is remote from any colour of it? And whether if the Vacancy had been all that the Parliament went upon, and the Preacher had been wholly out of the Question, Queen Mary should not have been declared Queen, and the Limitation upon Default of her Issue, should not have been immediately to her present Majesty; or the Crown left to descend to her, by hereditary Right?

His want of Knowledge, or wrong Biass in this Matter, and ungovernable Heat, shew how dangerous 'tis for such Men to be suffered to apply Texts of Scripture, to their own mistaken Notions of the Right of Government.

And 'tis a pretty Way that the Doctor, makes Court to the best of Princes, when he in effect tells her Majesty, they who hold Resistance lawful only in the necessary Defence of

of the Religion, Laws and Liberties of the Kingdom, cancel her Right: As if her Majesty could fall within the Description of Princes who may be resisted, as having abdicated, in renouncing their legal Government; And with an *IO Queen, live for ever!*] says, She and her Ministers (whom damn'd Whigs and Schismatics take for great Ornaments and Supports of a Court, and glorious Instruments, in diffusing the Blessings of her Majesty's Reign) provoke Nature to rebel against Principles, by their encouraging Men to betray and run down the Principles of our Church and Constitution.

Here 'tis not improper to observe, how a learned Dean's Slavery to an Hypothesis, has driven him to enervate the Force of St. Paul's Argument for Subjection; and rather than to allow God's requiring the Good of the People as the End of Government, according to the Constitution of every Government, to argue that St. Paul threatens the Resisters of the higher Power only with temporal Punishment: which does not always follow; neither could St. Paul believe; that all Rebels, continuing so, shall be punished in this Life.

But Dean Atterbury says, Page 21.

*Quod Deservabiles, etiam si se
repleant, qui resisti-
t erunt, sibi ipsis perni-
tiam accipient, commis-
si facinoris poenas luent
et perire nomine, non a-
terna*

*'They who shall
' resist shall receive to
' themselves Destru-
' ction, shall suffer Pu-
' nishment for their
' Transgression. By
' the*

terne tantum pœna sig-
 nificantur, à Deo ali-
 quando exigende; sed
 & illa etiam supplicia
 quibus in hac vitâ co-
 ercentur improbi. Eo
 sensu sacri Scriptores
 usitata frequentius &
 trita vox: ut hic loci
 etiam accipiat, sua-
 det certe Apostolici, &
 Argumenti, & Ora-
 tionis nexus — Qui
 resistunt ipsi sibi Dam-
 nationem acquirunt:
 Nam Principes non sunt
 timori boni operis sed
 mali, &c. Demenciati
 [*καὶ*] Judicii]
 Causam subjungit Apo-
 stolus, eâq; adductâ
 quod affirmatè primum
 dixerat fulcit dein atq;
 roborat. Ad pœnas au-
 tem in hoc seculo infli-
 gendas causa allata per-
 tinet; ad easdem ita-
 que & *καὶ* illud, quod
 ante intentatum est per-
 tinuit.

the word Judgment,
 not only eternal Pa-
 nishments, at some
 time or other to be
 inflicted by God,
 are signified; but
 also even these
 Punishments with
 which wicked Men
 are punished in this
 Life, in that sense
 the Word is very
 frequently used by
 the sacred Writers,
 and Trite: Also
 that it should be re-
 ceived in this Place,
 the Connection of
 the Apostle's Ar-
 gument and Dis-
 course perswade.
 They that resist ac-
 quire Damnation to
 themselves: For
 Princes are not a
 Terror to a good
 Work, but to the
 bad. The Apostle
 subjoins the Reason
 of the Judgment, that
 being adduced, what
 he first said by way of Affirmation, he after-
 wards supports and strengthens. But the
 Reason given belongs to Punishments to be
 inflicted in this World; therefore also that
 Judg-

Judgment which is before threatned, belongs to the same.

Here are great Pains taken to induce a Belief, that the Apostle, expressly at least, threatned only *Temporal Punishment*: And that, tho' the Apostle is express, that Men must needs be subject not only for Wrath, but *Conscience* sake. And whereas the Doctor urges the supposed Reason of the Wrath or Judgment, to relate only to *Temporal Punishment*; St. Paul, quite to the contrary, shews the Reason to be, because he is the *Minister of God*, a Revenger to execute Wrath upon him that *doth Evil*: So that whether the Transgressor escape *Temporal Punishment* or not, without Repentance, he is sure, to meet with *Eternal*: And if the Princes Justice overtake him, his Judgment is ratified in Heaven; while many a poor Man, whom Dr. Sacheverell charitably delivers over to the Devil and his Angels, to have *their Part in the Lake, which Burns with Fire and Brimstone*; will at the time of distinguishing Mens Portions, be caught up in the Clouds to meet in the Air the Lord, whom they sincerely serv'd: And shall be rewarded with a Crown of Righteousness, laid up for them by a sacred Decree, Prior and Superior to Ecclesiastical Sentences; and at least as truly irreversible. As to the Illative [for] us'd by St. Paul, to enforce the Precept of Subjection; the Judgment the more plainly relates to a future State, because the resistance is to *God's Minister*, ordain'd for the Good of the Publick.

Rom. c. 13.

Sermon, p. 22.

Thess. 4. 17.

Bar

* ὑποτάσσιναι.

Besides, if the Dean would have been as Nice in criticizing upon the other Greek Words; he might have observed what have been render'd, *ordained by God* (as the Words relating to the *Superiority* and *Subjection* are such as are used in the * *Tactics*, or Rules for ordering an Army;) imply no more than that every Body should observe the legal Order or Constitution, which is not said to be constituted [by] but [under] God. And thus, even where a Prince is absolute, he is God's Minister in that Power; and therefore is to use it for the encouragement of Religion and Virtue, and suppressing Vice and Enormities. But where by the Constitution, the States of a Kingdom have an Interest in the Legislature, and are invested with Privileges; who ever sets himself against that Interest, and those Privileges (as Doctor Sacheverell apparently does against what they are restored to by the Revolution) renders himself liable to the Judgment threatned by St. Paul: Which without Repentance, cannot but be eternal Damnation.

Besides the Dean might have observ'd; that if the Homilies have such Authority with him, as the Answerer of the *Impeachment* supposes they should have ev'n against Acts of Parliament; he ought not to have taken such a Liberty in arguing that the Apostle does not threaten Damnation; since the Homily cited in the Answer is express that he does.

To return to Dr. Sacheverell, If there could have been any Colour to suppose, that before the Revolution, the Prince was the higher Power

Power in the Doctor's sense; 'tis evident what he advances is in direct opposition to the present Establishment; which is as much God's Ordinance, as any Power, which he can shew to have been in the late *King James*, before his *Abdication*.

Begging Pardon for entring so far into the Province of the Clergy, by way of Repri-
sal, I shall conclude with what is more pro-
perly within my own.

To the fourth Article against the Doctor, relating to his way of treating Men of Cha-
racters and Stations in Church and State, he says,

Whereas in the former three Articles,
he is said to have maintain'd and asserted, *Answer, p.*
as well as suggested; in this fourth Arti-^{21.}
cle he is accus'd barely of suggesting. And
he humbly hopes that bare Suggestions or
Insinuations, could they with any Colour or
Probability be made out, as he is fully sa-
tisfied they cannot, will not, under the most
mild and Gracious Government (at a Time,
when several new Laws have been made
for securing the Liberties of the Subject) by
your Lordships (the great Guardians of
our Laws and Liberties) be adjudged suffi-
cient to involve an English Subject, in the
Guilt and Punishment of High Crimes and
Misdemeanours.

What is this but to intimate, the Com-
mons would make a Crime, of a fit Use of
the Liberty of an English Subject? And
while he forces himself to Compliment the
Lords, does he not set narrow Limits to
their judicial Power? as if it must be tyed to

the Rules for Courts of ordinary Jurisdiction ; and for them to censure any Suggestions or Insinuations whatsoever, would be to tarnish the glory of her Majesty's Reign ?

To check the Triumph of the Faction upon this Part of the Answer ; I shall mind them of a memorable Resolution in the Reign of James the Pacific ; and a very late Act of Parliament, which the Doctor, and they who Publish such Prints as his, and what they would obtrude upon Mens esteem, under the Name of Archbishop Usher, ought better to have consider'd of than they seem to have done.

Cro. Jac.
f. 37.
Moor, f.
755.
Noy, f.
100.

' In the second of King James the first, the Lord Chancellour demanded of the Justices, in an assembly of them, with divers of the Nobility in the Star-chamber ; whether it were an Offence punishable, and what Punishment they deserved, who fram'd Petitions and collected a Multitude of Hands thereto, to prefer to the King in a Publick Cause, as the Puritans had done ; with an Intimation to the King, that if he denied their Suit, many thousands of his Subjects would be discontented ?

' Whereto all the Judges answered, That it was an Offence punishable at Discretion, and very near to Treason and Felony in the Punishment : For it tended to the raising of Sedition, Rebellion, and Discontent, among the People : To which Resolution all the Lords agreed.

I need not observe the Paralel, or rather how much the procuring Hands to a Threat implied

implied in the *Surmize*, that many thousands would be discontented, if the Petition were not granted, falls short of the Doctor's printed Threat, that tho' the *Principles and Interests* of our *Church* are so shamefully betrayed (as he wildly imagines) and what he ignorantly calls the *Truth*, seems so much forsaken at present; they whom he Stigmatizes with the Character of *Associated Malignants*, shall yet find, to the Honour [of Men of his Notions:]

' That they have still amongst them those
' who have *Courage* to speak it, as well as
' those who have *Lives* and *Fortunes* to
' maintain it. And tho' the Age is sunk in-
' into the lowest Dreggs of Corruption, that it
' cannot endure sound Doctrine, there are not
' wanting some to Preach it, and others to
' support it at the Expence of both.

Dedication
of the As-
size-Ser-
mon,
preached at
Derby,
Aug. 15.
1709.

Viz, *Lives*
and *For-
tunes*.

What is this less than to Publish to the World, that he is sure of Numbers, who are ready to draw their Swords in Defence of what he maintains? And is not his Printed Justification of that forsaken Truth, as a Summons to all to come in to the help of a bold Captain of the *Church Militant*; who sometimes represents himself, a meek Minister p. 13. of the Gospel, ready to suffer for asserting a Doctrine, his steady Belief of which, he trusts that God will enable him to shew: Tho' at the same time the good Man, forsooth! meddles not with the Government, or any thing out of his Province, and only cites the Word of God in general Exhortations to Piety and Virtue: or p. 27. reproves Mens Transgressions; or laments the Difficulties and Conflicts, with which the Church

of Christ, whilst Militant here on Earth, must always struggle.

Tho' all the Acts of Parliament to the contrary, since the Abdication have not been able to shake his obstinate Perswasion; possibly some thing in his own way of Reasoning may operate. To try the Experiment, I shall go on with what the Law-Books mention upon the Occasion of that Petition of the Puritans.

Many of the Lords then declared, that some of the Puritans had raised a false Rumour of the King, how he intended to grant a Toleration to Papists. Which Offence the Justices conceived to be heinously finable by the Rules of the Common-Law, either in the King's-Bench, or by the King and his Council; or since the Statute, 3. H. 7. in the Star-Chamber: And the Lords severally declared, how the King was discontented with the said false Rumour, and had made but the Day before a Protestation unto them, that he never intended it; and that he would spend the last drop of Blood in his Body, before he would do it; and prayed that before any of his Issue should maintain any other Religion, than what he truly profess'd and maintain'd; that God would take them out of the World.

Upon which I should recommend these two Questions, to the Doctor's Consideration:

1. Whether there is not greater certainty; that the resisting King James the Second, was a due Execution of his Grandfather's

ther's Curse; and a Sentence ratified in Heaven; than there can be of the Ratification of such an Ecclesiastical one, as he would have it thought *Blasphemy*, to affirm any Pow'r on Earth can reverse?

2. Whether, if according to the late Father of mental Swearing (*Bishop Sanderfon*) the presumable Consent of a dispossed King *de Jure*, may Authorize any sort of Oaths to Usurpers; this plain Consent of King James the First, in full Possession of the Throne, may not much rather be held to warrant the Statute, which discharges the Subjects of this Monarchy from their Allegiance, to any Popish Prince; tho' the higher Pow'r; according to what the Doctor takes to be the Judgment of the Church of England?

Vid. Sanderfon's De Oblig. Conscientia, p. 182, 183.

But for Admonition to all of that Perswasion, I must desire them well to weigh the Words of the late Act of Parliament, which makes it *high Treason maliciously, advisedly, and directly, by Writing, or Printing, to maintain and affirm, that the Pretender, or any other Person, hath any Right or Title to the Crown of these Realms, otherwise than according to the late Acts of Parliament; one of which has the Clause against a Popish successor, or King in Possession. Neither is it a less Crime thus to Maintain, that the Kings and Queens of this Realm are not able, with, and by, the Authority of the Parliament, to make Laws and Statutes, of Force and Validity, to limit and bind the Crown, and the descent, Limitation, and Government thereof. And the Penalty of*

Anno 6. Annæ Reginae, for Security of the Queen's Person and Government, and of the Protestant Succession.

of *Premunire* is enacted against those, who shall *maliciously, and directly, by Preaching, Teaching, or advised Speaking, Declare, Maintain, and Affirm*, what, as above, is prohibited to be Written or Printed.

I must observe, That there's a plain *Difference* between *expressly* and *directly*. What is *declar'd, maintain'd, and affirmed*, by *direct* and *immediate Consequence*, according to the *Connection* and *unforced Construction* of Words, is so *directly*.

Page, 23.

Therefore he will have no Reason to complain, that he is charged with what depends upon the *Conjunction* of Passages some Pages distant from each other; unless he can make Good his Affirmation, that they *little relate to each other*: the contrary of which Men of much less Ability than the Managers may easily make appear.

Page, 25.

Since the whole Tendency of the Doctor's Discourse is against the *Revolution*, upon the Bottom on which Acts of Parliament have plac'd it; he must not think it any tolerable Answer to the Charge of *instilling groundless Jealousies, and fomenting destructive Divisions*, to say he on the contrary, condemns those who by false Insinuations, and raising groundless Jealousies and Fears, *imbroil the Public*, and bring it into *Confusion*. Where he takes it for granted, the Public is actually brought into *Confusion*: As if we were under a meer *Anarchy*; and that he is a better Judge than the Commons, what Tenets and Practices are most dangerous; and even than *Lords and Commons*, who are
duly

duly sensible of the Benefits, and Security both Church and State enjoy, under the best of Queen's, and Ministers of State and Justice : While the Doctor entertains his Mob Admirers, with tragical Exclamations of the miserable Times in which the Church, especially, labours with insupportable Grievances. And all because the Spirit of Persecution is not let loose. And to demonstrate his tender Concern for her Majesty's Person and Government, he calls her the good and pious Relict of the Royal Family, as *Pag. 12.* 'twere to deprive her of the great Security against Assassinations or Poyson; and to subject her Government to a Re-revolution, upon cancelling the Right of the Royal Family, as continued in the Protestant Line.

Considering how near the Printing his Sermon at St. Paul's, and his Dedication to the High-Sheriff, his Name-sake, border upon High-Treason, within the Letter of the late Act of Parliament, or at least within the declaratory Power in Parliamentary Judgments, reserved by the Statute 25 E. 3. for preserving the Constitution; and how just Grounds of Resentment he has given the Commons of Great-Britain, by his Way of Answering the Impeachment; he has Reason to acknowledge their Lenity, in not dropping the first Charge, and turning it into an Impeachment for High-Treason.

Thus, I conceive, I have made but a fair Use of the Commission (with which he says) *Affize. Sermon, P. 9.* ' God and Nature have invested every Subject from his Cradle) to engage, discover,

and

and disappoint, the Enemies of his Church and Country.

The Church of England, rescued from that Danger to which its false Sons would bring it back; and the united Kingdoms, whose Establishment is founded upon the Revolution; and which every Clergy-man, who has taken the Oaths, is in Conscience bound to stand by. Neither is he obliged Stat. 1. W. M. c. by any Subscription or Declaration, to the contrary, since the Repeal of that Clause in the Act of Uniformity, which had obliged them to declare, that it is not lawful, upon any Pretence whatsoever, to take Arms against the King: and that they abhor the traitorous Position of taking Arms by his Authority, against his Person, or against those that are commissioned by him. To sum up the Evidence upon this Professory Trial. According to the Doctrine of the Church of England, solemnly declar'd more than once, and by as full and as reputable Representatives of the reformed Clergy, as ever declar'd to the contrary; King William charitably undertook a pious and glorious Enterprize, for the Delivery of these Nations; and her Majesty, with the Nobility, Gentry, and Commons, as Opportunity serv'd, rose in Arms to forward their Deliverance; the Power so resisted was then in Possession of Royalty; but having abdicated, the Throne became vacant; and upon the Vacancy, the States of the respective Realms, since united, had due Regard to the Right of the Royal Family; and thereby William and Mary, till then only Prince and Princess of Orange,

Orange, became *lawful and rightful King and Queen*; and further Limitations have been since made: and all this according to the *fundamental Constitution of the English Monarchy*; as has been shewn at large in several *Treatises*, to which no Man ever pretended to give an Answer; the Opposers of our present *happy Establishment*, catching only at the Weaknesses of *Clergy-men*, who having taken their Notions of Government from King *James the First's* Imagination of a *free Monarchy*, which he derives from a suppos'd Conquest, partly in fabulous Times, and partly from mistaking the Nature of the Accession of King *William the First*, to the Crown of *England*, would be thought not to depart from their avow'd darling Principles, while they swear to a Right founded in direct Opposition, and, as one would have thought, in an entire Conquest over those Principles.

However, *Dr. Sacheverell* bullies the Government thus founded, with Threats of what Nature prompts them to, who find their great *Diana* trampled under Feet: and with the Numbers ready to take the Alarm from the *Pulpit and Press*, to help the Lord against the Mighty: and in an Age sunk into the lowest Dregs of Corruption, to force down and revive these, or the like, suppos'd Principles of our Church, and Fundamentals of our Constitution.

Vid. Treatise, Edit. 1 W. & M. proving K. W. & Q. M. lawful and rightful King and Queen. And Reflections upon a treasonable Opinion against Signing the National Association. Edit Anno 1696.

Dedication of Derby Sermon.

1. That the Extent of the Power of the Prince is settled by the express Word of God.

G

2. That

2. That according to that, the Obedience of the Subject is *absolute and unconditional*; where 'tis not limited by God's Law.

And,

3. That this must be so from the the Nature of Government: it being impossible any Government of any Kind or Denomination in the World, should otherwise subsist in Safety. But this being a Monarchical Government, all the Power of the Monarchy must rest in the Prince; tho' for the Satisfaction of the Subject, he may ordinarily tie himself to Rules.

4. That Resistance to the Prince, who is the *Supream Power*, (or was, till he renounc'd his legal Authority) upon any Pretence whatsoever, is not only utterly illegal; but contrary to the exprefs Command of God in Scripture.

5. That therefore to impute *Resistance* to the Revolution, would be an high Reflection upon it, and upon God's Instrument, who brought it about, with the Concurrence of these Nations.

6. That King *William* had the Crown set upon his Head, upon no other Title but Vacancy; that is, in Truth, upon none: For Vacancy can't possibly be a Title.

7. That her *Majesty* has no other Right but what is strictly *hereditary*; as first, in the Royal Line. But that the further Limitations of the Crown to *Protestant Successors*, is void in it self; as contrary to that hereditary and indefeasible Right.

The

The fundamental Constitution of these united Kingdoms being apparently contrary to this Scheme ; I shall leave to the Doctor the Application of his own Words, but rather to his high and wise Judges :

‘ This Maxim in general I presume may
 ‘ be establish’d , That no *Innovation* what-
 ‘ soever should be allow’d in the *fundamen-*
 ‘ *tal Constitution* of any State, without a very
 ‘ pressing, nay unavoidable Necessity for it.
 ‘ And whosoever singly, or in a private Ca-
 ‘ pacity, should attempt it, is guilty of the high-
 ‘ est Misdemeanour, and is an Enemy to the po-
 ‘ litic Body of which he is a Member.

*Sermon at
 St. Paul's,
 p. 12.*

F I N I S.

E R R A T A.

Page 8. in Marg. for *Schismacks*, r. *Schis-*
maticks ; p. 20. l. 12. dele. *which before be-*
cause l. 13. r. *which after King* ; p. 23. l. 26.
 r. *William's* ; p. 24. l. 24. r. *formulas* l. 31.
 r. *lacerent antepen* r. *Rights* ; p. 25. l. 6. r.
fore l. 10. r. *hoc* ; p. 41. l. ult. r. *judicial*.

The first mental Constitution of these
mixed Kingdoms being generally contrary
to this sense; I shall leave to the Doctor
the Application of his own Words, but
then to his High and Wise Judges:
The Maxim in general I presume may
be established, That no Innovation which
is never should be shown in the same
Constitution of any State without a very
pressing, nay unavoidable Necessity for it.
And we should fear, or in a private Ca-
pacity, should attempt it, is guilty of the
Crime of High Treason, and is an Enemy to the
little Body of which he is a Member.

F A V O R A B L E

E R R A T A

Page 8. in Marg. for Schismatics, r. Schis-
matics; p. 20. l. 12. dele. which before
was l. 11. r. which after l. 12. p. 22. l. 20. dele.
r. Whence s. p. 24. l. 24. r. for which s. p. 24.
l. 24. unde r. Right; p. 25. l. 6. r. l. 1.
p. 26. l. 10. r. hoc; p. 41. l. 11. r. judicial.



